

RESPONSE UNDER 37 C.F.R. §1.116
U.S. APPLN. NO. 10/634,847

DOCKET NO. Q76879

REMARKS

Claims 1-5 are all the claims pending in the application.

Claim Rejections - 35 U.S.C. § 103

Claims 1 and 3-5

Claims 1, 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gipe (U.S. Patent No. 4,031,614) in view of Applicant's Art (APA). Applicants respectfully traverse.

Gipe simply fails to teach the claimed method connecting a terminal fitting and an elastic wire. Claim 1 recites, *inter alia*:

“providing a conductive connecting member formed with an insertion hole;
inserting the electric wire into the insertion hole of the connecting member;
compressing the connecting member radially inwardly so as to caulk an inserted portion of the electric wire uniformly over a whole periphery thereof;”

Gipe simply fails to teach the combination of operations set forth in claim 1.

Gipe merely shows a deformable member 13 in Fig. 1 and a completed apparatus in Fig. 2. It does not teach the particulars of the assembly and certainly not the claimed method. For example, claim 1 recites providing a conductive connecting member formed with an insertion hole and inserting the electric wire into the insertion hole of the connecting member. As discussed in the Amendment filed June 14, 2006, Gipe does not teach whether the deformable member 13 is formed with a hole and then the wire 29 is inserted into the hole or whether the wire 29 is placed on the connecting member 13 and then the connecting member 13 is wrapped around the wire 29 (*see* the paragraph bridging pages 4 and 5 of the June 14 Amendment). If the

wire 20 is placed on the connecting member 13 and then the connecting member 13 is wrapped around the wire 20, the wire would not be inserted into an insertion hole of the connecting member 13 as claimed.

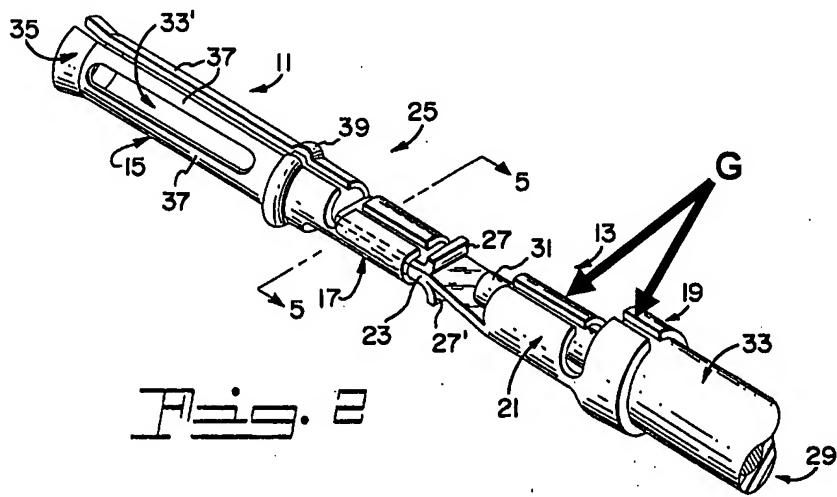
In response to this argument, the Examiner asserts that “the steps of providing a conductive connecting member formed with an insertion hole and inserting the electric wire into the insertion hole are not necessar[ill]y in that order.” (page 4 of the Office Action). But how could the insertion hole be formed after the electric wire is inserted into the insertion hole? Clearly the insertion hole must be formed first or it would be impossible for the electric wire to be inserted into it. The electric wire cannot be inserted into something that has not yet been formed. Thus, contrary to the Examiner’s assertions, providing the conductive connecting member formed with an insertion hole must be before inserting the electric wire into the insertion hole.

Applicants also disagree with the Examiner’s assertion that Gipe must teach compressing as claimed so that the wire is held (page 4 of the Office Action). As discussed above, Gipe does not teach forming an insertion hole and then inserting an electric wire 29 into the hole. However, even if it did, it is clear that there would not necessarily be compressing as claimed in such an instance. For example, the hole could be sized smaller than the electric wire 29 so that when the wire 29 was inserted into the hole the interference fit would secure the wire, and no compressing would be required. Thus, there would not be “compressing the connecting member radially inwardly so as to caulk an inserted portion of the electric wire uniformly over a whole periphery thereof”, as claimed.

Furthermore, the Examiner does not even address how she believes that Gipe teaches that any caulking of an inserted portion of a wire would be done uniformly. In fact, there is nothing in Gipe which teaches uniform caulking.

In view of the above, claim 1 is clearly allowable over Gipe. Claims 3-5 depend from claim 1 and are allowable at least by virtue of their dependency.

Furthermore, at least claim 5 is allowable for additional reasons. Claim 5 recites that an outer peripheral portion of the connecting member to be compressed has a *continuous* cylindrical shape. The portions that are allegedly compressed in Gipe (elements 19 and 21) do not have a continuous cylindrical shape. As shown in Fig. 2 (reproduced below, and amended to label the gaps "G"), they are clearly discontinuous because they have gaps G at their upper ends.



Claim 2

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Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Gipe in view of the APA and further in view of Hsieh (U.S. Patent No. 4,998,344). Applicants respectfully traverse.

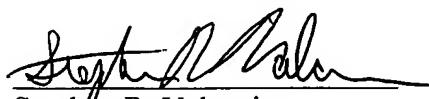
Claim 2 depends from claim 1. The Examiner cites Hsieh only as showing rotary swagging. Even if it were appropriate to modify Gipe with Hsieh as suggested by the Examiner, Hsieh still would not correct the above-noted deficiencies of Gipe and the APA with respect to claim 1. Accordingly, claim 2 is allowable at least by virtue of its dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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